

NASA Policy Statement on Sexual Harassment

It is NASA's longstanding policy that harassment of any kind is prohibited. This prohibition applies to harassment by anyone, including supervisors, coworkers, and contractor personnel, in the workplace or at any NASA-sponsored activities. I am deeply committed to ensuring a workplace that is free of all harassment. I remind NASA managers and employees that we all have a responsibility to uphold this policy.

Regarding sexual harassment, the U.S. Equal Employment Opportunity Commission sets two specific criteria: that the conduct in question is both unwelcome and of a sexual nature. As set forth in the Code of Federal Regulations (29 C.F.R. Section 1604.11(a)), sexual harassment includes:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

An offensive or hostile work environment can be created by unwelcome verbal, nonverbal and physical behavior of a sexual nature. Examples include unwelcome suggestive remarks, sexual insults, innuendoes, jokes and humor about sex or gender specific traits, sexual propositions and threats; unwelcome suggestive or insulting sounds, leering/ogling, whistling, obscene gestures, and obscene graphic materials; unwelcome cornering, touching, pinching, brushing the body, and actual or attempted rape or assault.

Employees should report any incident of sexual harassment immediately, before it becomes severe or pervasive, so that it can be stopped, and in order to protect your legal rights. Sexual harassment can be reported to your Equal Opportunity Director, or to any appropriate management official, who will make every effort to resolve the complaint promptly and effectively. All supervisors or management officials who receive complaints of sexual harassment must report such complaints immediately to the Equal Opportunity Director for their respective Center.

Immediately upon receipt of a complaint of harassment, the Agency will conduct a prompt and impartial investigation into the allegations. All complaints or allegations of sexual harassment will be kept confidential to the extent possible. Information about the harassment allegations will be shared only with those with a need to know, in order for the Agency to fulfill its responsibility to conduct an investigation of the allegations.

NASA will take steps immediately if it determines that harassment has occurred. Any employee who engages in sexual harassment activities, whether prohibited by Title VII of the Civil Rights Act of 1964, or by this Policy Statement, is subject to disciplinary action, which may include removal from Federal service. Retaliatory action against an employee who charges sexual harassment is also illegal and will not be tolerated.

I insist on your cooperation and support in maintaining a fair and hospitable work environment throughout NASA, free of harassment. Sexual harassment, like other types of discriminatory behavior, is prohibited and will not be tolerated.

For further information about this Policy Statement and for technical assistance, contact the Assistant Administrator for Equal Opportunity Programs.

ORIGINAL SIGNED BY

Sean O'Keefe
NASA Administrator

August 2, 2004

Date